

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO**

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In re:	:	
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THE FINANCIAL OVERSIGHT AND	:	PROMESA
MANAGEMENT BOARD FOR PUERTO RICO,	:	Title III
	:	
as representative of	:	Case No. 17-BK-3283 (LTS)
	:	
THE COMMONWEALTH OF PUERTO RICO <i>et al.</i> ,	:	(Jointly Administered)
	:	
Debtors. <sup>1</sup>	:	
	X	

**JOINDER OF OFFICIAL COMMITTEE OF UNSECURED CREDITORS WITH  
RESPECT TO (I) MOTION OF THE OFFICIAL COMMITTEE OF RETIRED  
EMPLOYEES TO EXTEND THE VOTING DEADLINE FOR HOLDERS OF CLAIMS  
IN CLASSES 51B, 51D, 51E, 51F, AND 51L AND (II) URGENT MOTION OF THE  
OFFICIAL COMMITTEE OF RETIRED EMPLOYEES OF THE COMMONWEALTH  
OF PUERTO RICO FOR EXPEDITED CONSIDERATION OF IT MOTION TO  
EXTEND THE VOTING DEADLINE FOR HOLDERS OF CLAIMS IN CLASSES 51B,  
51D, 51E, 51F, AND 51L**

To the Honorable United States District Judge Laura Taylor Swain:

The Official Committee of Unsecured Creditors<sup>2</sup> (the “Committee”) hereby files this joinder (the “Joinder”) with respect to the (i) *Motion of the Official Committee of Retirees to Extend the Voting Deadline for Holders of Claims in Classes 51B, 51D, 51E, 51F, and 51L*

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<sup>1</sup> The Debtors in these Title III cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17-BK-3283 (LTS)) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK-3284 (LTS)) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567 (LTS)) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK-3566 (LTS)) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17-BK-4780 (LTS)) (Last Four Digits of Federal Tax ID: 3747) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5233-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations). ) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

<sup>2</sup> The Committee is the official committee of unsecured creditors for all Title III Debtors, other than PBA and COFINA.



[Docket No. 18214] (the “Voting Deadline Motion”)<sup>3</sup> and (ii) *Urgent Motion of the Official Committee of Retired Employees of the Commonwealth of Puerto Rico for Expedited Consideration of Its Motion to Extend the Voting Deadline for Holders of Claims in Classes 51B, 51D, 51E, 51F, and 51L* [Docket No. 18215] (the “Motion to Expedite”). In support of this Joinder, the Committee respectfully states as follows:

### **JOINDER**

1. The Committee files this Joinder in order to support the relief requested in the Voting Deadline Motion and Motion to Expedite and to request that any extension of the Voting Deadline also be made applicable to holders of Class 58 CW General Unsecured Claims, Class 54 Eminent Domain Claims, and Class 66 ERS General Unsecured Claims (such holders, “General Unsecured Creditors”).

2. The Voting Deadline Motion discusses serious delays in connection with the solicitation of the Plan, including the closure of USPS’s sorting facility in San Juan and widespread delays in USPS service affecting Puerto Rico. This is consistent with the Committee’s understanding of the facts.

3. The Committee believes, based on the facts discussed in the Voting Deadline Motion and on inquiries the Committee has received from General Unsecured Creditors, that many General Unsecured Creditors have not received their Plan solicitation materials on a timely basis. Indeed, the issues described in the Voting Deadline Motion affect all creditors residing in Puerto Rico and relying on USPS.

4. The Committee submits that, for all the reasons set forth in the Voting Deadline Motion, the relief requested in that motion should also be granted with respect to General

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<sup>3</sup> Capitalized terms not defined herein shall have the meanings ascribed to them in the Voting Deadline Motion.



Unsecured Creditors. Among other things, as with Eligible Retirees, maintaining the current Voting Deadline could prompt arguments from General Unsecured Creditors that their due process was violated and that they are not bound by the Plan.

5. Moreover, as a simple matter of equity, General Unsecured Creditors should receive the benefit of any deadline extension provided to Eligible Retirees because many General Unsecured Creditors are, like Eligible Retirees, individuals residing in Puerto Rico who are not attorneys or professional investors with bankruptcy experience. They are, to put it simply, individuals, busy attending their jobs, businesses, and families. They rely on USPS for service of documents, cannot be expected to monitor every development in the Title III cases, and should not be forced to comply with a voting deadline that has been effectively cut short due to problems in the solicitation process that are beyond creditors' control.

6. Accordingly, the Committee supports the Retiree Committee's request for an extension of the Voting Deadline to October 18, 2021, and requests that such extension also be made applicable to holders of Class 58 CW General Unsecured Claims, Class 54 Eminent Domain Claims, and Class 66 ERS General Unsecured Claims. The Committee also supports the Retiree Committee's request for consideration of the Voting Deadline Motion on an expedited basis so that it can be decided prior to the Voting Deadline.

*[Remainder of page intentionally left blank.]*



WHEREFORE, the Committee respectfully requests that this Court (i) grant the Voting Deadline Motion with respect to both Eligible Retirees and General Unsecured Creditors and (ii) grant the Motion to Expedite.

Dated: September 23, 2021

/s/ Luc A. Despins

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– and –

/s/ Juan J. Casillas Ayala

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